

SENATE BILL 2786

By Burchett

AN ACT to amend Tennessee Code Annotated, Section 5-6-120.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 5-6-120, is amended by deleting all of the existing language in its entirety and substituting the following:

§5-6-120. After a water and wastewater treatment authority created under Title 68, Chapter 221, Part 6 begins providing water or wastewater service and establishes its service area, the authority shall be the sole and exclusive provider of the service or services it provides in its service area unless and until the governing body of the creating governmental entity shall adopt, and its executive officer shall approve, a resolution which establishes that the public convenience and necessity requires other or additional services; provided, that this section shall not amend or alter §§ 6-51-101, 6-51-111 and 6-51-301. The designated service area for any particular function or service shall not include any area located within the boundaries of another governmental entity providing the same function or service on the date the service area is established. Different service areas may be established for different functions or services. The authority may cede all or any portion of its functions or service area to another governmental entity upon the authority's board determining that the public convenience and necessity requires the same.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.